



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Please note the Carver County Government is closed therefore the meeting will be held online.
PLEASE CONTACT DISTRICT ADMINISTRATOR, LINDA LOOMIS FOR DIRECTIONS ON HOW TO PARTICIPATE.

Lower Minnesota River Watershed District
7:00 PM
Wednesday, October 21, 2020
Carver County Government Center
602 East Fourth Street, Chaska, MN 55318

Agenda Item	Discussion
1. Call to order	A. Roll Call
2. Approval of agenda	
3. Citizen Forum	<i>Citizens may address the Board of Managers about any item not contained on the regular agenda. A maximum of 15 minutes is allowed for the Forum. If the full 15 minutes are not needed for the Forum, the Board will continue with the agenda. The Board will take no official action on items discussed at the Forum, with the exception of referral to staff or a Board Committee for a recommendation to be brought back to the Board for discussion or action at a future meeting.</i>
4. Consent Agenda	<p><i>All items listed under the consent agenda are considered to be routine by the Board of Managers and will be enacted by one motion and an affirmative vote of a majority of the members present. There will be no separate discussion of these items unless a Board Member or citizen request, in which event, the items will be removed from the consent agenda and considered as a separate item in its normal sequence on the agenda.</i></p> <p>A. Approve Minutes August 19, 2020 Regular Meeting B. Receive and file August 2020 Financial reports C. Approval of Invoices for payment <ul style="list-style-type: none"> i. Frenette Legislative Advisors - for August 2020 lobbying services ii. Metro Sales - payment on copier maintenance agreement iii. Rinke Noonan, Attorneys at Law - July 2020 legal services iv. US Bank Equipment Finance - September 2020 payment on copier lease v. Daniel Hron - for July office rent vi. Metro Conservation District - for 2020 Metro Children's Water Festival vii. TimeSaver Off Site Secretarial - for preparation of July 2020 meeting minutes viii. Young Environmental Consulting Group - For July 2020 technical services D. Receive and file response to LMRWD letter regarding passage of a bonding bill from Speaker of the House, Representative Melissa Hortman</p>
5. New Business/ Presentations	A. No new business
6. Old Business	A. Braun Cost Share

	<p>B. Cost Share Application - S. Mueller, 10745 Lyndale Bluffs Trail</p> <p>C. City of Carver Levee</p> <p>D. Remote meeting participation - no new information to report</p> <p>E. Dredge Management</p> <p> i. Vernon Avenue Dredge Material Management site</p> <p> ii. Private Dredge Material Placement</p> <p>F. Watershed Management Plan</p> <p>G. 2020 Legislative Action</p> <p> i. MAWD Resolutions</p> <p>H. Education & Outreach - Update will be provided at the meeting</p> <p>I. LMRWD Projects - See Administrator Report for project updates <i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i></p> <p> i. Area #3</p> <p>J. Permits and Project Reviews - See Administrator Report for project updates <i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i></p> <p> i. Memorial Park Pedestrian Bridge and Trail</p> <p> ii. Ridge Creek Park</p> <p>K. MPCA Soil Reference Values - No new information since last update</p>
7. Communications	<p>A. Administrator Report</p> <p>B. President</p> <p>C. Managers</p> <p>D. Committees</p> <p>E. Legal Counsel</p> <p>F. Engineer</p>
8. Adjourn	<p>Next meeting of the LMRWD Board of Managers is 7:00pm Wednesday, November , 2020</p>

Upcoming meetings/Events

- [Metro MAWD](#) - Tuesday, October 20, 7:00pm to 9:00pm
- UMWA - Thursday, October 22, 2020, 12:30pm to 1:30pm, contact District Administrator to join
- [Water Resource Conference](#) - October 20-21, virtual conference, registration can be accessed through link provided.
- [BWSR Academy](#) - October 27th - 29, 2020, Virtual, no charge
- USACE River Resource Forum #118 - December 1-2, MN Valley US Fish & Wildlife Service Visitor's Center, Bloomington, MN
- [MAWD Annual Conference](#) - December 1st - 4th, 2020, Virtual

For Information Only

- **WCA Notices**
 - Notice of Application - Springside Lane, Bloomington
- **DNR Public Waters Work permits**
 - City of Shakopee - Memorial Park Bridge Replacement
 - City of Burnsville - Xcel Energy, amended permit to allow for slight change of location for installation of riprap. An additional amendment was issued to extend the amount of riprap
 - Request for comments and permit issued - Cities of Savage & Burnsville to allow for dredging of barge terminals for CHS, Cargill and Savage Riverport
 - City of Savage - request for comments - Sediment removal, Riprap, recovery of shoreline lost by erosion, intake/outfall structure. Credit River Outfall Repair
- **DNR Water Appropriation permits**
 - Amended Permit - MNDOT, I-35W Bridge Construction; permit has been amended to extend the termination date of the permit to 12-31-2020
 - Request for comments - CenterPoint Energy, Dakota County Station abandonment, request to extend expiration date of permit to 12-31-2021

Item 4.B.
LMRWD 10-21-20

BEGINNING BALANCE	31-Aug-20	\$ 2,346,469.88
ADD:		
General Fund Revenue:		
Project review fee Gaughan permit #2020-0123	\$ 750.00	
	750.00	
Total Revenue and Transfers In		\$ 750.00
DEDUCT:		
Warrants:		
425620 Frenette Legislative Advisors August 2020 lobbying services	\$ 1,666.67	
425631 Metro Sales Copier service maintenance payment	\$ 79.50	
425637 Rinke Noonan Attorneys at Law July 2020 legal services	\$ 325.00	
425643 US Bank Equipment Finance September 2020 copier lease payment	\$ 168.10	
425753 Daniel Hron August 2020 office rent	\$ 650.00	
425759 Metro Conservation District Sponsorship of 2020 MCWF	\$ 1,650.00	
100013679 TimeSaver Off Site Secretarial prep of July 2020 meeting minutes	\$ 148.00	
100013680 Young Environmental Consulting July 2020 technical services	\$ 62,491.46	
	67,178.73	
Total Warrants/Reductions		\$ 67,178.73
ENDING BALANCE	30-Sep-20	\$ 2,280,041.15

Item 4.B.
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LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, October 21, 2020

Agenda Item

Item 4. D. - Receive and file response to LMRWD letter regarding passage of a bonding bill from Speaker of the House Representative Melissa Hortman

Prepared By

Linda Loomis, Administrator

Summary

The LMRWD received a response from Speaker of the House, Representative Melissa Hortman. The response was to a letter the LMRWD Board sent to legislative leaders September 9, 2020. The Board should make a motion to receive and file the response.

Attachments

Email from Speaker of the House Representative Melissa Hortman

Recommended Action

Motion to receive and file response from Speaker of the House Melissa Hortman



Linda Loomis <naiadconsulting@gmail.com>

RE: Letter in Support of a Bonding Bill

Melissa Hortman <Rep.Melissa.Hortman@house.mn>

Thu, Oct 1, 2020 at 12:48 PM

To: Lisa Frenette <frenettela@gmail.com>, "naiadconsulting@gmail.com" <naiadconsulting@gmail.com>, "Laurenrsalvato@gmail.com" <Laurenrsalvato@gmail.com>, "dave.raby@aol.com" <dave.raby@aol.com>, "adamfrey@comcast.net" <adamfrey@comcast.net>, "jessehartmann@hotmail.com" <jesehartmann@hotmail.com>

Dear Ms. Loomis and Board Members:

Thank you for your letter urging the Minnesota Legislature to pass a bonding bill. I agree that we must pass a bonding bill that creates jobs, stimulates local economies and addresses the state's critical infrastructure needs.

Under my leadership, the Minnesota House of Representatives has worked successfully with the Governor's office, the Republican majority in the Senate, and the DFL minority in the Senate to reach an agreement on a bonding bill that would make investments throughout Minnesota. The Republican minority in the House has so far refused to vote for a bonding bill unless the Governor gives up his use of emergency powers to manage the COVID-19 pandemic. I am disappointed that House Republicans have tied a completely unrelated issue to the bonding bill.

I hope in the coming days House Republicans will recognize the importance of these investments for their communities and agree to vote for a bonding bill despite their ongoing, unrelated disagreement with Governor Walz over his management of Minnesota's response to the pandemic. Governor Walz, like 49 of 50 governors in the country, has found it necessary to use emergency powers authorized in state law as he manages Minnesota's response to the pandemic.

Over the past two years, Chair Mary Murphy and members of the House Capital Investment Committee have considered over \$5 billion worth of projects and have had to make difficult decisions throughout negotiations with the Senate GOP which have advocated for a much smaller bill than the House DFL supports. I appreciate hearing about the ongoing need for sediment removal and flood mitigation along the Minnesota River and recognize that maintaining the Navigation Channel is critically important to our global economy. I'll keep this project in mind as we work out the final version of the bill.

Again, thank you for reaching out.

Sincerely,

Melissa Hortman
Speaker of the House
State Representative, District 36B
463 State Office Building
St. Paul, MN 55155
tel 651 296 4280
Legislative Assistant: Haley Cobb

tel 651 296 7142



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, October 21, 2020

Agenda Item

Item 6. A. Braun Cost Share

Prepared By

Linda Loomis, Administrator

Summary

The Board of Managers approved the Cost Share request for Dustin Braun at the June 2020 Board meeting. Mr. Braun has been working on installation of the rainwater capture and storage system. He expects to have the majority of the project complete by the project deadline of November 30, 2020. Pump and plumbing materials were back ordered, but he has been promised shipment. However, he does not think he will be able to have community engagement/workshop activity and the video completed until spring.

I have communicated with Mr. Braun that the District can consider extending the deadline for the grant agreement until 2021. He would like to get partial payment on the grant ahead any extended deadline. The grant from the LMRWD was mainly for the cost of the rainwater capture and storage system and the community engagement and video were part of the requirements Mr. Braun was planning in order to complete his Master Water Steward program.

The decision before the Board is whether or not to pay the Cost Share Grant before the project is totally complete. The amount of the grant is \$2,418. All the costs of the project were for the materials needed. There were no costs involved with the community engagement and the video. Mr. Braun has sent a picture of the cistern installed.



Attachments

No attachments

Recommended Action

Motion to authorize reimbursement to Dustin Braun and extend deadline to June 30, 2021



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, October 21, 2020

Agenda Item

Item 6. B. - Mueller Cost Share application

Prepared By

Linda Loomis, Administrator

Summary

At the September Board meeting, the LMRWD received a Cost Share application from Sandy Mueller to remove invasive species from the steep slope behind her home in Bloomington. The Board was concerned that the project might not be a good use of funds unless other property owners also addressed invasive species on properties they owned. The Board suggested that perhaps other property owners could be persuaded to remove invasive species from their own properties.

Staff conveyed the Board's direction with the applicant and met with potential partners; US Forest Service, Hennepin County, US Fish & Wildlife Service and the City of Bloomington. All organizations thought this would make a good demonstration project and planned a site visit for Tuesday, October 20, 2020 at 2:00pm.

Attachments

No attachments

Recommended Action

No action recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, October 21, 2020

Agenda Item

Item 6. C. _ City of Carver Levee

Prepared By

Linda Loomis, Administrator

Summary

The LMRWD met with the City of Carver on September 14, 2020 to discuss a partnership to construct improvements to the City's levee. The City has requested state funding under the Flood Damage Reduction Grant Assistance Program to assist with easement acquisition and design. The City has requested \$100,000 from the LMRWD. The LMRWD has determined improvements to the levee benefits the District. Levee improvement will meet USACE and FEMA standards.

The City agreed to update its Local Water Management Plan and its other planning documents to include the levee improvement project and they will conduct a no-rise evaluation and any other investigation that may be required. The LMRWD agreed to update its Watershed Management Plan to include the project and adopt a resolution of support. Staff recommends that a Memorandum of Understanding be adopted between the City and the LMRWD and will begin work on that.

More information on the project can be found on the [City's website](#).

The LMRWD is working with the City on other issues: approval of a municipal permit for the City, restoration of active stream erosion along Spring Creek, and addressing erosion of gullies within the City.

Attachments

Resolution 20-10 Expressing Support for the City of Carver, Minnesota Levee Improvement Project (currently under review by legal counsel)

Recommended Action

Motion to adopt Resolution 20-10 Expressing Support for the City of Carver, Minnesota Levee Improvement Project

RESOLUTION 20-10

RESOLUTION OF THE LOWER MINNESOTA RIVER WATERSHED DISTRICT BOARD OF MANAGERS

Expressing Support for the City of Carver, Minnesota Levee Improvement Project

_____ offered the following Resolution and moved its adoption, seconded by _____:

WHEREAS, a portion of the City of Carver, Minnesota (City) lies within the boundaries of the Lower Minnesota River Watershed District (LMRWD); and

WHEREAS, the City's downtown is protected by an earthen levee constructed following the 1965 flood of record; and

WHEREAS, the City has experienced repeated flooding (22 events in the past 10 years) and it is expected that flood events will continue to increase; and

WHEREAS, in 2016, the levee was removed from the US Army Corps of Engineers (USACE) Safety Program, and is currently non-accredited on the current Federal Emergency Management Agency (FEMA) flood Insurance maps; and

WHEREAS, in 2019, the City informed the LMRWD of its plans to bring the City's levee up to USACE and FEMA standards and has developed several studies to identify alternatives to protect historic structures in downtown Carver and asked the LMRWD for assistance to fund the improvements; and

WHEREAS, the City estimates the cost to improve the Levee at \$11,180,000.

NOW, THEREFORE, BE IT RESOLVED, that the LMRWD Board of Managers has determined that the Levee Improvement Project benefits the District; and

BE IT FURTHER RESOLVED, the Board intends to support the Project with funding \$100,000 to assist the City in making these improvements; and

FURTHER, the Board supports efforts of the City to seek additional grants for the Levee Improvement Project; and

FURTHER, the City agrees to amend its plans (Local Water Management Plan, Capital Improvement Plan, Comprehensive Plan and any other planning document) and will prepare a no-rise study of the proposed levee improvements; and

FURTHER, the LMRWD will update its Watershed Management Plan and Capital Improvement Program to include the Levee Improvement Project.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 21st day of October, 2020.

The question was on the adoption of the Resolution and there were __ yeas and __ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
FREY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HARTMANN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RABY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SALVATO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the President declared the Resolution adopted.

Jesse Hartmann, President

ATTEST:

David Raby, Secretary/Treasurer

I, David Raby, Secretary/Treasurer of the Lower Minnesota River Watershed District, do hereby certify that I have compared the above Resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this 18th day of March 2020.

David Raby, Secretary/Treasurer



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, October 21, 2020

Agenda Item

Item 6. E. - Dredge Management

Prepared By

Linda Loomis, Administrator

Summary

i. **Vernon Avenue Dredge Material Management site**

Construction on the dredge project began the last week of September and is continuing. The project has gone relatively smoothly. A synopsis of the project can be found at the end of the Engineers report. I have pulled those pages out of the report and they are attached to this memo. The contractor expects to complete the project by the end of next week. Barr Engineering has been on site and kept record of the construction with lots of photos

ii. **Private Dredge Material Placement**

CHS, Cargill and Savage Riverport all needed to conduct additional dredging of their terminals in order to fully load barges. LS Marine and the Meyer Construction have worked together to accommodate the terminal operators.

Attachments

Update on construction project at dredge site.

Recommended Action

No action recommended

RE: LMRWD Dredge Site / Construction Update 2

Joe J. Waln <JWaln@barr.com>

Fri, Oct 16, 2020 at 4:36 PM

To: "Patrick E. Brockamp" <PBrockamp@barr.com>, "Mark Quast (mquast@meyerci.com)" <mquast@meyerci.com>, Mark Conte <mconte@meyerci.com>, Michael Peitz <mpeitz@meyerci.com>, Verlyn Schoep <vschoep@meyerci.com>, "Imol@meyerci.com" <Imol@meyerci.com>, Terri Dill <TDill@cityofsavage.com>, Taylor Luke <TaylorL@lsmarine.com>, "della@youngceg.com" <della@youngceg.com>, Linda Loomis <naiadconsulting@gmail.com>, "Jesse Carlson - City of Savage (JCarlson@ci.savage.mn.us)" <JCarlson@ci.savage.mn.us>, "John P. Hanson" <JHanson@barr.com>, "Eric J. Brandner" <EBrandner@barr.com>, Scott Peterson <speterson@meyerci.com>, "Eric J. Ludwig" <ELudwig@barr.com>, Amanda Ramnandon <aRamnandon@barr.com>

Construction Activities This Week and Last Week:

- Meyer continued excavation and berm construction, prioritizing cell 1.
- Meyer worked with Barr geotechnical staff to address water management in excavations on cell 1.
- Field Order 2 was issued to clarify grading around the north side of cell 1 and construction requirements for the northeast side of cell 2.
- Field Order 3 was issued to clarify and revise where topsoil will be placed and some minor adjustments to the gravel access road extents.
- Meyer has placed most of the topsoil per field order 3 already and anticipates a slight overrun in quantity.
- Meyer has been coordinating with LS Marine regarding completion date and access to cell 1.
- The owner, Barr, Meyer, and LS Marine met on site to discuss resumption of dredging activities. Meyer to assist LS Marine with minor earth moving needed to set up dredging equipment in northwest corner of the site.
- Proof roller did not pass for road subgrade because of high soil moisture. Meyer will place 4 to 6 inches of 3-inch minus rock beneath the 6-inches of class 5 aggregate for the roadway surface. The addition of 3-inch minus rock will be a change in scope.
- Meyer to coordinate with LS Marine to not attempt vegetation establishment in areas that will just be torn up during dredging operations in the northwest corner of the site.

Construction photos are available here: <https://www.dropbox.com/sh/fe1zj0x7sfwfzrn/AADkpoKLuloNtGKrBPQbMMATa?dl=0>

Construction Activities for Next Week:

- Finish grading, roadway construction, and bank stabilization. Meyer expects to be substantially complete with the work by the end of next week.

Joe J. Waln, PE

Senior Water Resources Engineer
Minneapolis, MN office: 952.832.2984
cell: 503.957.7710
JWaln@barr.com
www.barr.com

resourceful. naturally.



From: Patrick E. Brockamp <PBrockamp@barr.com>

Sent: Friday, October 2, 2020 17:04

To: 'Mark Quast (mquast@meyerici.com)' <mquast@meyerici.com>; 'Mark Conte' <mconte@meyerici.com>; 'Michael Peitz' <mpeitz@meyerici.com>; 'Verlyn Schoep' <vschoep@meyerici.com>; 'lmol@meyerici.com' <lmol@meyerici.com>; 'Terri Dill' <TDill@CityofSavage.com>; 'Taylor Luke' <TaylorL@LSMarine.com>; 'della@youngceg.com' <della@youngceg.com>; 'Linda Loomis' <naiadconsulting@gmail.com>; 'Jesse Carlson - City of Savage (JCarlson@ci.savage.mn.us)' <JCarlson@ci.savage.mn.us>; Joe J. Waln <JWaln@barr.com>; John P. Hanson <JHanson@barr.com>; Eric J. Brandner <EBrandner@barr.com>

Subject: LMRWD Dredge Site / Construction Update

Dredge Site Team,

Construction Activities This Week:

- Notice to Proceed was issued to Meyer on Monday 9/28
- Meyer completed drone topo of the site to document existing conditions
- Earthwork activities began with the re-location of the existing sand stockpile
- A portion of the berm footprint on the south side of Cell 1 was opened up for inspection of subgrade – Meyer encountered groundwater and soft subsoil
- Barr and Meyer met on-site to inspect and review subgrade and discuss groundwater concerns
- Field Order #1 was issued to clarify berm construction on the south side of Cell 3 – test pit verification of in-place materials allows for placement of berm fill on existing material, reducing subcut and minimizing impacts to adjacent wetland. The field order also revised the specified allowable fines content for berm fill due to further testing of on-site materials
- Perimeter silt fence was completed on Thursday 10/1
- Change Order #1 was sent to Meyer for review – this Change Order would extend the Final Completion date until June 18, 2020 to allow for restoration and vegetation establishment.
- Geotech observation has been ongoing to inspect subgrade, density testing, and moisture testing on portions of cell 1 berm
- Meyer will work tomorrow Saturday 10/3 – Barr Geotech will be on-site

Construction Activities for Next Week:

- Continue earthwork and cell 1 berm construction

A few construction photos are attached,

Thank You

p.s. Let me know if anyone should be added or anyone would like to be taken off the list for email updates.

Patrick E. Brockamp, PE

Water Resources Engineer
Minneapolis, MN office: 952.842.3593
cell: 612.710.2836
PBrockamp@barr.com
www.barr.com

resourceful. naturally.





LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, October 21, 2020

Agenda Item

Item 6. F. - Watershed Management Plan

Prepared By

Linda Loomis, Administrator

Summary

Staff has continues to follow up with cities to issue municipal permits. The final form of the permit is under review.

Attachments

No attachments

Recommended Action

No recommended action.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, October 21, 2020

Agenda Item

Item 6. G. - 2020 Legislative Action

Prepared By

Linda Loomis, Administrator

Summary

At the September Board, MAWD Resolutions were discussed. Upon further review the only resolution to sunset that was introduced by the LMRWD was 215-06 Establishment of Minnesota River Basin Commission. This resolution was offered by the LMRWD in 2015 and had three components: 1) Legislative establishment of a MN River Basin Commission, 2) Legislative direction for the completion of One Watershed One Plan within the MN River Basin and 3) Legislative establishment of watershed district in the MN River Basin, if BWSR determines that watershed management organization are not implementing the One Watershed One Plan.

I have attached the resolution 15-14 adopted by the LMRWD and the submission to MAWD to request adoption of the position. The Board should decide if it still wishes to push for a basin wide commission. The intent was for a MN River Board structured similar to the Red River Board.

Historically, the Legislature created a commission in 1995. The Board disbanded in 2013 and its final report is attached. One of the issues with the MN River Board was that it was equally divided between counties that wanted changes and counties that were part of the board to make sure that changes were not made. At the time the LMRWD asked for MAWD to adopt this resolution the LMRWD Board hoped to generate a regulatory structure that would look at flow management in the areas of the MN River Basin outside the LMRWD. The LMRWD was successful in getting legislation introduced that year and had garnered agency support. The bill had several hearings in committee, but was not passed as opposition to legislation was presented and the agencies back out of supporting the legislation.

Of the active resolutions, 2019-03 was introduced by the LMRWD last year.

I believe all managers were copied on the response to the District's letter to legislative leader, but I have attached it FYI.

Attachments

2015 MAWD resolution submittal

LMRWD Resolution 15-14

MN River Basin Board final recommendation to the Legislature

Response from Melissa Hortmann

Recommended Action

Determine if LMRWD wants to resubmit the resolution in support of creating a MN River Basin Commission

MEMORANDUM

DATE: July 1, 2020
TO: MAWD Members
FROM: Sherry Davis White, Resolutions Committee Chair
RE: **2020 REQUEST FOR MAWD RESOLUTIONS**



It is that time of year for MAWD members to submit their policy recommendations through our resolutions process. Here are the next steps and timeline:

- July / August** Members discuss and approve resolutions at their local WD/WMO meetings
- September 1** Administrators submit resolutions and background information documents to the MAWD office at emily@mnwatershed.org by September 1
- September / October** Resolutions Committee will review resolutions, gather further information when deemed necessary, discuss and make recommendations on their passage to the members
- October 31** Resolutions (with committee feedback) will be emailed to each district by Oct. 31
- November** Members should discuss the resolutions at their November meetings and decide who will be voting on their behalf at the annual meeting (2 voting members allowed per watershed organization)
- December** Delegates discuss and vote on resolutions at the annual meeting
- December / January** Legislative Committee will review existing and new resolutions and make a recommendation to the MAWD Board of Directors for the 2021 legislative platform
- January 2021** MAWD Board of Directors will finalize the 2021 legislative platform
- January 5, 2021** First day of the 92nd legislative biennium

Resolutions passed by the membership at the annual meeting will remain MAWD policy for five years. After five years resolutions will sunset and if desired, will need to be resubmitted and passed at the annual meeting to keep those issues active.

See the enclosed lists for resolutions that are active and those that will sunset at the end of the year.

Please feel free to contact me at sherrywhite@mediacombb.net or our Executive Director Emily Javens if you have any questions at emily@mnwatershed.org or (651) 440-9407.

THANK YOU FOR YOUR EFFORTS IN OUR POLICY DEVELOPMENT!

Background Information

2020 MAWD Resolution

Proposing District: _____

Contact Name: _____

Phone Number: _____

Email Address: _____

Resolution Title: _____

Background that led to the submission of this resolution:

Ideas for how this issue could be solved:

Anticipated support or opposition from other governmental units?

(Check one) This issue is of importance to:

Only our district _____

Only our region _____

The entire state _____

Active MAWD Resolutions

July 1, 2020



FINANCE ISSUES

2018-02 Increase the \$250k General Fund Tax Levy Limit

MAWD supports legislation to increase or remove the \$250,000 general fund ad valorem tax levy limit set in MN statute 103D.905 subd. 3. If the limit is raised to a new dollar amount, MAWD supports an inflationary adjustment be added to statute.

2017-05 Middle Fork Crow River Watershed District General Operating Levy Adjustment

MAWD supports the efforts of Middle Fork Crow River Watershed District to draft and advance special legislation affecting a change in its general fund levy cap.

2019-08: Heron Lake Watershed District General Operating Levy Adjustment

MAWD supports an increase in Heron Lake Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2019-09: Shell Rock River Watershed District General Operating Levy Adjustment

MAWD supports an increase in Shell Rock River Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2019-10: Pelican River Watershed District General Operating Levy Adjustment

MAWD supports an increase in Pelican River Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2019-11: Buffalo Red River Watershed District General Operating Levy Adjustment

MAWD supports an increase in Buffalo Red River Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2019-06: Oppose Legislation that Forces Spending on Political Boundaries.

MAWD opposes legislation that establishes spending requirements or restricts watershed district spending by political regions or boundaries.

2017-06 Obtain Stable Funding for the Flood Damage Reduction Program

MAWD supports stable funding (as opposed to the current even year bonding process) for the DNR's Flood Damage Reduction Program. A suggested sustainable level of funding is \$25 million per year for the next 10 years.

2016-03 Tax Law Treatment of Conservation Easements

MAWD pursue a legislative initiative to define "riparian buffer" for purposes of conservation easements in state tax code and to establish an administrative procedure whereby a watershed organization would certify, for purposes of section 273.117, a conservation easement or restriction as meeting the water quantity and quality purposes cited in the tax law and therefore be eligible for a reduction in estimated market value.

URBAN STORMWATER

017-04 Limited Liability for Certified Commercial Salt Applicators

MAWD supports passage and enactment of state law that provides a limited liability exemption to commercial salt applicators and property owners using salt applicators who are certified through the established salt applicator certification program who follow best management practices.

2017-07 Creation of a Stormwater Reuse Task Force

MAWD pursue legislation requiring creation of a Stormwater Reuse Task Force with membership from Watershed Districts, Cities, Counties, State Agencies and other Stormwater Reuse implementers; and that the Stormwater Reuse Task Force should be charged with developing recommendations that further clarify and/or replace the information in the Water Reuse Report that relates to stormwater reuse best management practices.

PUBLIC DRAINAGE LAW

2019-04: Clarify County Financing Obligations and/or Authorize Watershed District General Obligation Bonding for Public Drainage Projects.

MAWD supports legislation to achieve one or both of the following:

- a) To clarify that an affected county must finance a watershed district drainage project on project establishment and request of the watershed district; and
- b) To authorize watershed districts to finance drainage project establishment and construction by issuance of bonds payable from assessments and backed by the full faith and credit of the watershed district; and further provide for adequate tax levy authority to assure the watershed district's credit capacity.

2019-02: Add a Classification for Public Drainage Systems that are Artificial Watercourses

MAWD supports removal of the default Class 2 categorization for public drainage systems that are artificial watercourses and supports a default Class 7 categorization for public drainage systems that are artificial watercourses.

2018-08 Reinforce Existing Rights to Maintain/Repair 103E Drainage Systems

MAWD supports legislation modeled after House File 2687 and Senate File 2419 of the ninetieth legislature (2017-2018) reinforcing that the DNR cannot restrict existing rights to maintain and repair 103E public drainage systems.

AQUATIC INVASIVE SPECIES

2017-02 Temporary Lake Quarantine Authorization to Control the Spread of AIS

MAWD supports legislation granting to watershed districts, independently or under DNR oversight, the authority, after public hearing and technical findings, to impose a public access quarantine, for a defined period of time in conjunction with determining and instituting an AIS management response to an infestation.

2019-07: Chinese Mystery Snail Designation Change and Research Needs.

MAWD supports Chinese Mystery Snail prevention and control research and to change the Chinese Mystery Snail designated status in Minnesota as a regulated species to a prohibited species.

LOCAL and STATE WATERSHED MANAGEMENT COORDINATION / REPRESENTATION

2019-01 Streamline the DNR permitting process

MAWD supports legislation, rules, and/or agency policies to streamline the DNR permitting process by increasing responsiveness, decreasing the amount of time it takes to approve permits, providing a detailed fee schedule prior to application, and conducting water level management practices that result in the DNR reacting more quickly to serious, changing climate conditions.

2019-03: Support for Managing Water Flows in the Minnesota River Basin Through Increased Water Storage and Other Strategies and Practices.

MAWD supports efforts to manage the flow of water in the Minnesota River Basin and the Minnesota River Congress in its efforts to increase water storage on the landscape; and

MAWD supports the Minnesota River Congress in its efforts to secure state and federal programs targeted specifically to increase surface water storage in the Minnesota River Watershed.

2019-05: Watershed District Membership on Wetland Technical Evaluation Panels.

MAWD supports legislation to allow technical representatives of watershed districts to be official members of wetland technical evaluation panels (TEPs).

2018-04 Require Watershed District Permits for the DNR

MAWD supports an amendment to the MN Statute § 103D.315, subd. 5, to include the MN Department of Natural Resources as a state agency required to get permits from watershed districts when applicable.

2018-06 Ensure Timely Updates to Wildlife Management Area (WMA) Plans

MAWD supports that Wildlife Management Area (WMA) operation and maintenance plans and/or management plans are either drafted or brought current in a timely fashion, with input from local governmental entities, to ensure their consideration in future One Watershed One Plan efforts.

2018-03 Require Timely Appointments to the BWSR Board

MAWD supports legislation that requires the Governor to make BWSR board appointments within 90 days of a vacancy or board member term expiration.

2018-09 Clean Water Council Appointments

MAWD may ask the representative of the Clean Water Council to resign when they lose their direct association to a watershed district; and that MAWD will recommend to the Governor's office that managers and/or administrators in good standing with MAWD be appointed to the Clean Water Council.

WATERSHED OFFICE OPERATIONS

2016-01 Making Human Resources Expertise Available to Districts through MAWD

MAWD research potential options of making human resources expertise available to districts and make every effort to assure districts have access to the expertise they need to effectively manage their organizations.

Resolutions to Sunset

Effective December 31, 2020



In accordance with MAWD's Sunset Policy, the following resolutions will be archived at the end of the year and will no longer be considered for future legislative and administrative platforms. The Sunset Policy says that resolutions older than five years old shall be removed from the books. If your watershed feels any of these issues should continue to be actively pursued with MAWD resources, then your watershed board needs to write up a new resolution and the issue will need to be voted on and renewed by the membership at the next annual meeting to be held in December.

2015-01 Encourage DNR to Permit Storing Water on DNR Land

MAWD supports the temporary storage of water on existing DNR-controlled wetlands in the times of major flood events.

2015-02 Road Raises for Cities with Levees

MAWD supports the State of Minnesota providing financial support through the MN DNR Flood Damage Reduction Program to cost share with local, state, and federal road authorities to provide road raises as an additional feature of flood control levee projects.

2015-05 Improvements in Process with Permitting Authorities for Water Quality Improvement Projects

MAWD supports all permitting authorities:

1. Identify all regulatory requirements and applicable standards that have been developed, formalized, and codified into applicable laws, statutes, and rules that apply to proposed water quality improvement projects within 30 days of receiving a permit application;
2. Coordinate with permit applicants on proposed water quality improvement projects as part of the technical advisory committee process;
3. Consider the development of internal technical advisory/evaluation committees within each authority to review proposed water quality improvement projects; and
4. Allow permit applicants to address all members of each authority's organization that are offering comments and concerns on a proposed water quality improvement project early on through the technical advisory committee process, instead of trying to go through one contact person at each authority.

2015-06 Establishment of Minnesota River Basin Commission

MAWD supports the legislative establishment of a MN River Basin Commission to provide effective and efficient proactive comprehensive basin planning; administration; project development; implementation; construction and maintenance or water resource projects and programs of benefit to the MN River Basin with a focus on water quantity and water quality management.

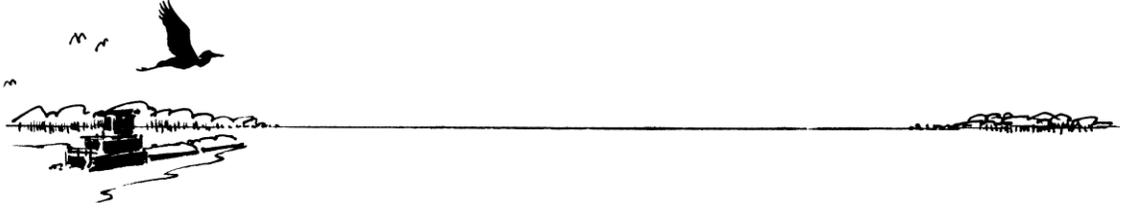
2015-07 Review Commitment to Clean Water Council Process for Recommendations to Governor and Legislature on Spending Priorities of the Clean Water Fund

MAWD supports a review of our commitment to the present Clean Water Council funding recommendation process and make a recommendation to the membership at our 2016 Annual Meeting on our continued participation in that process.

2015-08 Protect the Integrity of the Clean Water Council Appointments

MAWD supports legislation to protect the integrity of Clean Water Council appointments by supporting legislation similar to the BWSR appointment process for local government appointments, and that any state agency influence on the appointment process for local government representatives or any other specific represented groups on the Clean Water Council not be tolerated.

Lower Minnesota River Watershed District



Vacant: Manager
Carver County
Len Kremer, Secretary
Hennepin County
Michael Murphy, Vice President
Scott County

Yvonne Shirk, President
Dakota County
David Raby, Treasurer
Hennepin County
Linda Loomis, Administrator
Home/Office (763) 545-4659
Cell (612) 306-5802

October 13, 2015

Mr. Ray Bohn
Minnesota Association of Watershed Districts
540 Diffley Road
St. Paul, MN 55123

Dear Mr. Bohn:

Please find attached a resolution from the Lower Minnesota River Watershed District for consideration by the membership of the Minnesota Association of Watershed Districts.

If you or the committee has any questions, please contact me by phone at 763-545-4659 or by email at naiadconsulting@gmail.com.

Regards,

A handwritten signature in cursive script that reads "Linda Loomis".

Administrator
Lower Minnesota River Watershed District

2015 MAWD Resolutions Background Information

Proposing District: Lower Minnesota River Watershed District

Contact Name: Yvonne Shirk, President, LMRWD
Linda Loomis, District Administrator

Contact Information: Linda Loomis
612-306-5802 *Cell*
763-545-4659 *Office*
linda@watersheddistrict.org
6677 Olson Memorial Highway
Golden Valley, MN 55427

Resolution Title (brief subject statement): Establishment of Minnesota River Basin Commission.

Factual points providing background and basis of the issue:

Since its establishment in 1960, the LMRWD has had the obligation and responsibility to provide placement sites for material resulting from the US Army Corps of Engineers dredging maintenance of the 9 foot navigation channel on the Minnesota River. The amount of sediment that the LMRWD has had to deal with has increased since 1960 and it appears that this trend will continue.

From 2011 to 2014, a yearly average of 1.4 million tons of suspended sediment was dropped in the Minnesota River channel, banks and floodplain between Jordan and Fort Snelling (Chris Ellison, USGS). Ninety percent (90%) of the pollutant load originates upstream, outside the LMRWD. The Minnesota River (River) is 335 miles in length and drains over 17,000 square miles. The LMRWD is the last 33 miles of the River and encompasses only 80 square miles. It is the LMRWD and its taxpayers, who bear the cost and responsibility for managing water quality and dredge material from the entire basin, without any means of affecting land use decisions, water quality improvement projects and Best Management Practices (BMPs).

In 1995, the Minnesota River Board, a joint powers organization of 38 counties in the Minnesota River Basin (Basin), was formed by proclamation of then Governor Arne Carlson. The board worked in the intervening 22 years to resolve environmental issues in the Basin. In 2013, the Minnesota River Board dissolved and reported to the legislature that the State needed to take leadership to address the issues and concerns related to governance of the Minnesota River. The Minnesota River Board looked for solutions along county lines and not along hydrological units. There are 13 major watersheds within the Basin. In December 2013, the Minnesota River Board dissolved and made a recommendation to the Legislature that the state needed to take ownership in solving the problems of the Minnesota River.

Several scientific studies have indicated that in order to address sediment, comprehensive management of flows from the various watersheds in the Minnesota River basin is needed, through some systematic distributed flow reduction by retaining/detaining water strategically throughout the 13 major watersheds in the Basin.

There is a need to coordinate goals and implementation recommendations from the various studies that have been developed within the Basin and downstream.

Based upon the above facts, what is the proposed solution to the problem above:

The establishment of a Minnesota River Basin Commission (MRBC) to replace the dissolved county joint powers board (the Minnesota River Board). The MRBC would include representatives of the 13 major watersheds (county commissioners; Soil and Water Conservation District (SWCD) Supervisors; city councilors/mayors and Watershed District Managers) plus 5 members from the economic sector representing agriculture, business, recreation and other citizen interests from within the Basin. The members would be appointed by the Governor. The MRBC would have the responsibility and obligation to develop a comprehensive basin water quantity and water quality management plan with allocation of specific water management goals and outcomes for each of the major 13 watersheds. The MRBC would provide the comprehensive hydrologic and hydraulic modeling for the basin along with the water quality modeling needed to allocate proportional goals and outcomes to the 13 major watersheds. The MRBC would be legislatively established with Governor appointments to ensure long term institutional existence. The MRBC would coordinate the funding requests to LCCMR; LSOHC; CWF; and bonding and general funds for the operation and implementation of the priority outcomes for the Basin. The MRBC would establish a local funding mechanism to leverage state and federal funds as well as ensuring the commitment of local "skin in the game". New legislation authorizing the Counties of [list] to establish a Minnesota River Basin Commission with powers similar to those of a Watershed District but with a specific purpose to coordinate TMDL, WRAPS and One Watershed, One Plan implementation actions across the Basin, to implement projects and programs for TMDL, WRAPS and One Watershed, One Plan implementation and to raise revenues for project and program implementation.

Likely reaction of public or other governmental units:

Because this proposes a new governmental entity with taxing powers, there will likely be concerns raised by the public or other governmental units. The proposed Minnesota River Basin Commission, however, is necessary to accomplish the implementation required by the South Metro Mississippi River TSS TMDL, the State's Sediment Reduction Strategy, Lake Pepin Total Suspended Solids (TSS) TMDL, WRAPS and One Watershed One Plan and to coordinate implementation to reduce redundancy and make sure funding is directed to where the greatest benefit can be achieved.

This issue is of importance (Check one):

- To just our District:
- To just our Region: X
- To the entire State:

Attachments:

- LMRWD Legislative Issue Paper 1-2015
- SF 2204
- Proposed MN River Basin Commission Organizational Chart

2015 MAWD Resolution

LOWER MINNESOTA RIVER WATERSHED DISTRICT (LMRWD)

RESOLUTION IN SUPPORT OF ESTABLISHING A MINNESOTA RIVER BASIN COMMISSION BY THE MINNESOTA LEGISLATURE

WHEREAS, in 1960, the Minnesota Water Resources Board was petitioned to establish the LMRWD, for the express purpose of managing the sediment removed from the 9 foot navigational channel in order to maintain commercial navigation on the Minnesota River; and

WHEREAS, the amount of sediment removed from the channel has continued to increase without any way and means to secure efforts to reduce sediment yield to the navigational channel, and

WHEREAS, recent research and technical studies conclude that managing the flow of water leaving the various 13 major watersheds in the Minnesota River Basin is a significant element of a sediment yield solution; and

WHEREAS, the most recent Minnesota River basin authority, the Minnesota River Board, a joint powers organization of counties in the Minnesota River Basin, dissolved in December 2013 and forwarded a report to the legislature suggesting that the legislature needs to provide a framework for the future of water management in the Basin, and

WHEREAS, it is difficult to achieve a comprehensive solution to water management within the Basin that is fair and equitable, and provides shared roles, responsibilities, accountability, priorities and financing throughout the 13 watersheds, without a basin wide institutional structure; and

WHEREAS, leaving things as they are will only perpetuate the top down management from the state agencies and perpetuate the mixed messages for solutions and priorities leaving local governments the challenge of competing for state and federal resources without a basin wide water management strategic plan which is a goal of failure; and

NOW, THEREFORE, BE IT RESOLVED that Minnesota Association of Watershed Districts supports the legislative establishment of a Minnesota River Basin Commission to provide effective and efficient proactive comprehensive basin planning; administration; project development; implementation; construction and maintenance of water resource projects and programs of benefit to the Minnesota River Basin with a focus on water quantity and water quality management.

Manager _____ introduced the following resolution and moved its adoption:

RESOLUTION 15-14

LOWER MINNESOTA RIVER WATERSHED DISTRICT (LMRWD)

**RESOLUTION IN SUPPORT OF ESTABLISHING A MINNESOTA RIVER BASIN COMMISSION
BY THE MINNESOTA LEGISLATURE**

WHEREAS, in 1960, the Minnesota Water Resources Board was petitioned to establish the LMRWD, for the express purpose of managing the sediment removed from the 9 foot navigational channel in order to maintain commercial navigation on the Minnesota River; and

WHEREAS, the amount of sediment removed from the channel has continued to increase without any way and means to secure efforts to reduce sediment yield to the navigational channel, and

WHEREAS, recent research and technical studies conclude that managing the flow of water leaving the various major watersheds in the Minnesota River Basin is a significant element of a sediment yield solution; and

WHEREAS, the most recent Minnesota River basin authority, the Minnesota River Board, a joint powers organization of counties in the Minnesota River Basin, dissolved in December 2013 and forwarded a report to the legislature suggesting that the legislature needs to provide a framework for the future of water management in the Basin, and

WHEREAS, it is difficult to achieve a comprehensive solution to water management within the Basin that is fair and equitable, and provides shared roles, responsibilities, accountability, priorities and financing throughout the major watersheds, without a basin wide institutional structure; and

WHEREAS, the development and implementation of the One Watershed, One Plan for watersheds within the Minnesota River Basin in a timely manner will be critical to overall success in achieving sediment reductions; and

WHEREAS, the long-term accountability of watershed management organizations that evolve from the One Watershed, One Plan to achieve outcomes of the plans will be dependent upon collective commitment to implementation; and

WHEREAS, leaving things as they are will only perpetuate the top down management from the state agencies and perpetuate the mixed messages for solutions and priorities leaving local governments the challenge of competing for state and federal resources without a basin wide water management strategic plan which is a goal of failure.

NOW, THEREFORE, BE IT RESOLVED that the Lower Minnesota River Watershed District supports the following;

- 1) Legislative establishment of a Minnesota River Basin Commission to provide effective and efficient proactive comprehensive basin planning; administration; project development; implementation; construction and maintenance of water resource projects and programs of benefit to the Minnesota River Basin with a focus on water quantity and water quality management; and

- 2) Legislative direction for the completion of the One Watershed, One Plan efforts within the Minnesota River Basin by the end of 2018 and to provide the Board of Water and Soil Resources (BWSR) sufficient funding to realize that time frame; and
- 3) Legislative establishment of watershed districts in the Minnesota River Basin, if BWSR determines that watershed management organizations are NOT implementing the One Watershed, One Plan as adopted.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 18th day of November 2015

Yvonne Shirk, President

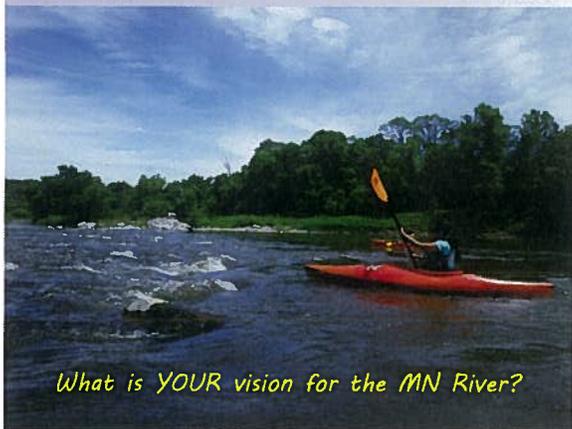
ATTEST:

Len Kremer, Vice President



December 16, 2013: Be heard and be a part of history!

Minnesota River Board to Make Recommendation on Future Basin-Level Coordination and Funding



What is YOUR vision for the MN River?

1994: A call for collaboration...

In 1994, the Minnesota River Citizen’s Advisory Committee (MRCAC) released “Working Together: A Plan to Restore the Minnesota River.” The MRCAC recommended a coordinated effort to clean up the Minnesota River. As a result, the Minnesota River Basin Joint Powers Board (*aka*, Minnesota River Board; MRB) was legislatively formed in 1995 (MN Statute 103F.378).

The state’s namesake river was in need of help, and 37 counties in the basin stepped up to form what is still the state’s largest joint powers organization. The counties were joined by countless watershed, agency, private, and citizen partners and with great intentions, the MRB was born in 1996.

MN River Basin Coordination: Information YOU should know!

- MRB Adds Reform to its Strategic Plan* **2**
- Bigger Associates Report Recommendations* **2**
- Assumptions and Guiding Principles for Change* **3**
- MRB to Make Basin Entity and Funding Recommendation* **3**
- Options for Future Coordination and Funding* **4**
- Be a Part of History: Basin Forum 12/16* **4**

MRB Mission

“To provide leadership, build partnerships, and support efforts to improve and protect water quality in the Minnesota River Basin”

MRB Vision

“Conservation and restoration of Minnesota River resources and our way of life can only be achieved by a cooperative effort between citizens and all levels of government and business.”

2012: A call for change...

After nearly 20 years of initiatives, challenges, and calls for change from valued partners, the MRB delegates passed Resolution 12-01 in September 2012 to dedicate funds for a full external review of the MRB governance, mission, services, and funding.

A review process that included steering committee representation from SWCDs, Watershed Districts/projects, agricultural organizations, and citizen-based organizations held focus groups, gathered stakeholder information, and developed recommendations about future basin-level coordination (see Bigger Associates Report on page 2). The steering committee identified guiding principles that have shaped the future basin entity and funding discussion.

Change is coming and the MRB wants input! This is about the future of Minnesota River LGUs and conservation partners, not just a basin entity!



Flathead catfish, just one of many MN River treasures!



MRB Adds Reform to its Strategic Plan

FY13-17

MRB Strategic Plan Priorities

- 1) **Basin Board Structure and Management Modifications**
- 2) **Funding Stabilization and Support Mechanisms**
- 3) **Drainage System Redetermination of Benefits**
- 4) **Public Waters Buffers**
- 5) **Water Storage and Drainage Management**
- 6) **Threats to the MN River**



Minneopa Falls—A natural feature of the Minnesota River

In 2011, the MRB initiated an internal process to identify mechanisms to better serve and support watershed partners.

The MRB collected data by asking our delegates and partners to address several critical questions:

- 1) What roles should a Basin-level entity have?
- 2) What river-related matters will be most challenging for you/your organization during the next decade?
- 3) How can a basin-level entity support and enhance local conservation efforts?
- 4) The MRB needs “big ideas” in our strategic plan that will have an impact and result in something that our delegates, staff, and partners can be proud of - what are some “big ideas” we should evaluate?

Partner Feedback

The responses clearly indicated that *change was needed!*

- ◆ To advance a basin-wide mission and provide effective support, resource deficiencies (both labor and funding) must be addressed.
- ◆ A basin entity must have innovative and aggressive strategic approaches with measurable results implemented by local on-the-ground partners.
- ◆ Basin wide efforts should be focused and higher profile.
- ◆ Basin-level governance must be more broadly represented to improve collaboration.

The MRB heard its constituents and the feedback was a driving force behind the FY13-17 MRB Strategic Plan. The plan called for Board structure modifications, funding stabilization plans to support the Minnesota River watersheds, and priority focus areas (see left sidebar).

Bigger Associates Report Recommendations

“While there were several calls for the MRB to disband, there were many more voices that see a need for a basin entity.”

*—Cindy Bigger,
External Review Lead*

January 2013 –

Minnesota River watershed professionals and citizens brought their concerns to the table and helped identify needed changes if a basin entity is to continue.

Bottom Line
Is the will there to move forward and do what needs to be done?

Primary Recommendations (summarized/paraphrased)

- ◆ A basin board needs to include diverse representation.
- ◆ Representation should be based on major watersheds.
- ◆ The mission must be clear, effective, and statutory.
- ◆ Board should be based on enabling legislation that clearly defines authorities, funding, and representation.
- ◆ Needs to be led by a full-time Director and staff.
- ◆ Commit to issue-based input strategies to set priorities.
- ◆ Change the dues structure to be more equitable.
- ◆ **Implement these recommendations or disband!**



Assumptions and Guiding Principles for Change

The external review committee (members listed on page 4), along with input from agency staff, MRB delegates, citizens, and other partners, established guiding principles and assumptions to shape discussions about a new basin entity and funding.

What would a new basin board do? What would it look like?

A new Minnesota River Basin entity shall...

- ◆ be based on integrity, transparency, accountability, and inclusiveness,
- ◆ advocate for processes that enhance organizational stability,
- ◆ strive to attract and retain a talented workforce in all the watersheds,
- ◆ support major watershed conservation plans and local implementation,
- ◆ recognize local relationships as critically important to resolving watershed issues,
- ◆ establish equitable collection, use, and distribution of resources,
- ◆ include complete basin coverage,
- ◆ be a strong advocate for targeted/prioritized practices with measurable outcomes,
- ◆ advocate for conservation that provides the greatest benefit to the basin,
- ◆ deliver rapid responses to legislative, legal, and funding actions, and
- ◆ establish a “living document” that is flexible and pro-active.

“A new Minnesota River Basin entity will be significantly different than the current model.”

–MRB Executive Committee and Executive Director

Furthermore, a new Minnesota River Basin entity will...

- ◆ be significantly different than the current model,
- ◆ be established and mandated in whole or in part by law,
- ◆ have a governing body based on major watershed representation,
- ◆ have inclusive governance of the basin conservation community,
- ◆ strive to implement a mechanism of locally-generated revenue,
- ◆ have local government revenue collection/controls, and
- ◆ anticipate major watershed organizations and plans for the entire basin.

It boils down to this...

- 1) Major Watershed Foundation
- 2) New Board Structure from #1
- 3) Major Watershed Water Plans
- 4) Defined Support for #3
- 5) Locally Generated Revenue

MRB to Make Basin Entity & Funding Recommendation

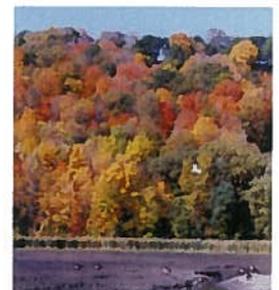
The MRB, at least as we know it, is coming to an end. Our job is to make a recommendation about how a new basin-level entity should be structured and funded. The over-arching duties and responsibilities of a new basin entity are outlined above. Over the past 18 months, various options have been brought forward for consideration.

The Four Key Options (outlined on page 4 of this report)

- Option A:** Bottom-up watershed-based planning w/local revenue generation (w/MRB outreach/legislative support)
- Option B:** Option A PLUS additional basin board revenue generation (w/MRB outreach/legislative support)
- Option C:** Recommendation to the State for Option A or B (no additional MRB involvement)
- Option D:** Recommendation of other alternative(s) or no recommendation (no additional MRB involvement)

Options A and B assume 1) that the current MRB will provide outreach and legislative support to advance the recommendation, 2) collection of the second half of the FY14 dues, 3) collection of any incurred costs associated with final task completion, and 4) postpones current MRB sunset/dormancy until at least June 30, 2014.

Options C and D assume 1) immediate provision of recommendation to the State with no additional MRB involvement, 2) collection of any incurred costs associated with final task completion, and 3) a sunset/dormancy of approximately March 15, 2014.



Fall on the MN River!



Options for Future Coordination and Funding

Option A Summary:

- ◆ Bottom up watershed-based planning and implementation scheme.
- ◆ Counties, SWCDs, WD/WMOs as the primary LGUs.
- ◆ Major watershed plans used to set new Basin Board priorities and functions.
- ◆ New Basin Board funded through a process of budgeting and certification.
- ◆ The new Basin Board would develop and adopt budget, counties would collect.
- ◆ Flexible Revenue collection options may include
 - water management fees (e.g., storm water utility),
 - fee based on per parcel/per acre charge sufficient to generate budget amount,
 - new fee authority for Basin counties, and/or
 - ad valorem* dedication.
- ◆ Requires major watershed organization via formal agreements.
- ◆ Two Basin Board delegates appointed/elected by each watershed entity.
- ◆ Three at-large delegates selected by basin-wide process to assure fair representation.
- ◆ New fiscal authorities to SWCDs/Counties to implement major watershed plans.
- ◆ Local revenue provides competitive match for state/federal funding for all basin partners.
- ◆ "Failure to implement provision" would be required and sets performance standards.
- ◆ Current MRB maintains support role for legislative/outreach needs through FY14.

Option B Summary:

Option B Includes all aspects of Option A plus the additional components listed below.

- ◆ Additional funding authority specifically for the Basin Entity (similar to Red River Model).
- ◆ Funds collected by the counties in addition to revenue identified in Option A.
- ◆ Allows more funds in Option A to remain local, rather than be re-distributed.
- ◆ Revenue would be subject to a legislative cap.
- ◆ Funds would target large capital improvement projects and basin-wide initiatives.
- ◆ A project selection process, with priorities and conditions, would be established.

Options C and D Summary:

- ◆ MRB would make a Basin Entity recommendation to the State of Minnesota.
- ◆ Beyond the recommendation, no additional involvement from the current MRB.
- ◆ MRB would immediately begin process of business closure (e.g., sunseting or dormancy).



Questions? Comments?
Director Fisher: 507.389.5491
or Shannon.fisher@mnsu.edu

All are invited to provide input on the options!

Email your comments, resolutions, etc... for the record to shannon.fisher@mnsu.edu (must be received by 1:00 pm, Dec. 13, 2013) or provide testimony in person (info below).

All are welcome!

December 16, 2013 @ 9:00 AM
Sheep Shedde Inn/Max's Grill
2425 W. Lincoln Ave.
Olivia, MN 56277

*A special **THANK YOU** to all the counties that have supported the MRB by remaining full members and to the delegates that have dedicated their time and energy to the effort!*

The MRB also extends our sincere appreciation to the External Review Team

Drew Campbell
Blue Earth Commissioner
and MRB Treasurer

Thomas Egan
Dakota Commissioner and
past MRB Vice Chair

Shannon J. Fisher
MRB Exec. Director

Warren Formo
Exec. Director, MN Ag.
Water Resources Center

Bill Groskreutz
Faribault Commissioner
and MRB Vice Chair

Kerry Netzke
Exec. Director, Area II MN
River Basin Projects, Inc.

Diane Radermacher
Administrator, Upper MN
River Watershed District

John Schueller
Redwood Commissioner
and MRB Chair

Paul Setzepfandt
Renville Commissioner
and MRB Secretary

Scott Sparlin
Exec. Director, Coalition for
a Clean MN River

Mark Zabel
Carver SWCD Supervisor
and MASWCD President

Thanks also to
Doug Thomas, BWSR,
for assistance with program
information and examples.

***THANK YOU** to our partners who have been at the table and contributed the MN River conversation over the past two decades!*



Linda Loomis <naiadconsulting@gmail.com>

RE: Letter in Support of a Bonding Bill

Melissa Hortman <Rep.Melissa.Hortman@house.mn>

Thu, Oct 1, 2020 at 12:48 PM

To: Lisa Frenette <frenettela@gmail.com>, "naiadconsulting@gmail.com" <naiadconsulting@gmail.com>, "Laurenrsalvato@gmail.com" <Laurenrsalvato@gmail.com>, "dave.raby@aol.com" <dave.raby@aol.com>, "adamfrey@comcast.net" <adamfrey@comcast.net>, "jessehartmann@hotmail.com" <jesehartmann@hotmail.com>

Dear Ms. Loomis and Board Members:

Thank you for your letter urging the Minnesota Legislature to pass a bonding bill. I agree that we must pass a bonding bill that creates jobs, stimulates local economies and addresses the state's critical infrastructure needs.

Under my leadership, the Minnesota House of Representatives has worked successfully with the Governor's office, the Republican majority in the Senate, and the DFL minority in the Senate to reach an agreement on a bonding bill that would make investments throughout Minnesota. The Republican minority in the House has so far refused to vote for a bonding bill unless the Governor gives up his use of emergency powers to manage the COVID-19 pandemic. I am disappointed that House Republicans have tied a completely unrelated issue to the bonding bill.

I hope in the coming days House Republicans will recognize the importance of these investments for their communities and agree to vote for a bonding bill despite their ongoing, unrelated disagreement with Governor Walz over his management of Minnesota's response to the pandemic. Governor Walz, like 49 of 50 governors in the country, has found it necessary to use emergency powers authorized in state law as he manages Minnesota's response to the pandemic.

Over the past two years, Chair Mary Murphy and members of the House Capital Investment Committee have considered over \$5 billion worth of projects and have had to make difficult decisions throughout negotiations with the Senate GOP which have advocated for a much smaller bill than the House DFL supports. I appreciate hearing about the ongoing need for sediment removal and flood mitigation along the Minnesota River and recognize that maintaining the Navigation Channel is critically important to our global economy. I'll keep this project in mind as we work out the final version of the bill.

Again, thank you for reaching out.

Sincerely,

Melissa Hortman
Speaker of the House
State Representative, District 36B
463 State Office Building
St. Paul, MN 55155
tel 651 296 4280
Legislative Assistant: Haley Cobb

tel 651 296 7142



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, October 21, 2020

Agenda Item

Item 6. H. - Education & Outreach

Prepared By

Linda Loomis, Administrator

Summary

i. **60th Anniversary Video**

Young Environmental coordinated the development of a request for proposal and reviewed the proposals from four videography and advertising companies. Quasimodo Advertising, which has also worked for Freshwater Society, was selected and began work on Monday, October 12, 2020. Its schedule is compact, with video shooting planned for October 29, 2020, and the final video anticipated on November 20, 2020. In addition to the video, we are developing a historical piece that ties in the 60th Anniversary theme of Environment–Commerce–People. Managers should have received an invitation to be interviewed for the video.

ii. **Citizen Advisory Committee**

The infrastructure for the CAC is underway. We have designed a draft CAC application form and are developing complementary information for the District's website. Additionally, we have identified individuals at the Ramsey–Washington Metro Watershed District, Nine Mile Creek Watershed District, and Rice Creek Watershed District to review the look, functionality, and information presentation for public consumption. We plan to provide the outcome of the website review during the November board meeting.

Attachments

No attachments

Recommended Action

No action recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, October 21, 2020

Agenda Item

Item 6. I. - LMRWD Projects

Prepared By

Linda Loomis, Administrator

Summary

i. Eden Prairie Area #3

After the project was approved at the board meeting on May 20, 2020, Young Environmental coordinated the collection and review of additional data at the Area 3 project site. The additional data confirm that the river has continued to move and cause erosion at the toe of the embankment. Further review indicates that groundwater seeps may also pose a threat to future stabilization efforts and that future designs should include adequate drainage to prevent extended soil saturation. Staff recommends completion of the preliminary and final engineering design of the rock vane option and is looking for the Board to authorization.

The final report can be accessed using this [link](#).

Attachments

Area 3 Slope Stability Project Update (link provided above)

Recommended Action

Motion to authorize staff to proceed with preliminary and final engineering design



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, October 21, 2020

Agenda Item

Item 6. J. - Permits and Project Reviews

Prepared By

Linda Loomis, Administrator

Summary

i. **Memorial Park Pedestrian Bridge and Trail (LMRWD Permit No. 2020-116)**

This project proposes to replace a bridge that was removed in 2016 because of structural safety concerns. Staff is recommending conditional approval of the permit application, pending receipt of the NPDES permit and the SWPPP (Storm Water Pollution Prevention Plan)

The technical memo containing the review of project can be accessed through this [link](#).

ii. **Ridge Creek Park (LMRWD Permit No. 2020-099)**

This project is partially funded by a Metro-area Watershed Based Funding Grant. This project was begun before the LMRWD rules were in place, so it does not require a permit. We have given it a permit number in order to track the project. The City has worked cooperatively with the LMRWD to complete the project and it has been reviewed for compliance with LMRWD standards.

The technical memo containing the review of the project can be access through this [link](#)

Attachments

Shakopee Memorial Park Pedestrian Bridge - Response to Comments and Individual Permit Application (LMRWD No.2020-116) - this document can be accessed through the link above.

Ridge Creek Park - Issued for Bid Project Plan Review (LMRWD No. 2020-099) - this document can be accessed through the link above.

Recommended Action

Motion to approve LMRWD Permit No. 2020-116

Motion to approve LMRWD Permit No. 2020-099